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BOOK REVIEWS.

POLITICS AND THE MORAL LAW. By Gustave Ruemelin, late Chancellor of the University of Tübingen. Translated from the German by Rudolf Tombo, Jr., Ph. D., Columbia University. Edited with an Introduction and Notes by Frederick W. Holls, D. C. L. New York: The Macmillan Co. 1901. pp. 125.

This excellent translation of Dr. Ruemelin's address of November 6, 1874, the birthday of King Frederick of Württemberg, the admirable introduction by Dr. Holls, and the notes on the provocation of war, treaties, and the morality of war, altogether make up an interesting and useful handbook of political ethics. Doubtless each generation will continue to discuss the question, "Is politics, *i. e.*, the untrammelled practice of public affairs subject to the moral law, or does it follow laws of its own?" Yet, perhaps, no generation is likely to make a more searching examination of Machiavellism than has been made by men whose memories go back to the Napoleonic era and cover the administrative activity of Bismarck. More illuminating examples of the practical difficulties of living up to an ideal standard of truth and justice in statecraft or diplomacy are not likely to be offered than those which have been created since the Congress of Vienna; and saner or more well-informed discussions in the philosophy of public morals can hardly be looked for than one finds in the writings of John Stuart Mill, John Morley, Robert Von Mohl and Louis Proal. If these examples and discussions have contributed nothing to the solution of the problem stated in Ruemelin's question above quoted, the final solution must be indeed far off, or even doubtful.

Dr. Ruemelin's address itself, while broad-minded and suggestive, can hardly be regarded as profound. It states clearly enough the alternatives, and defends the position that while "the very highest sense of moral obligation is enjoined upon the statesman, the content of his duties is not thereby prescribed." But it does not reveal a penetrating insight into the reasons for an undoubted difference between the concrete content of private morality and the concrete content of public ethics. It abounds in too many assertions for which no adequate justification is offered; as, for example, this: "It would, however, be quite as illogical as it is impracticable to demand from the community itself the same course of action or omission as from its members." That such a course would be impracticable most sensible men are willing to grant. That it would be illogical they do not so clearly see, and what they most of all desire to learn from writings like Dr. Ruemelin's is just why the impractical is also, in derivation from accepted ethical postulates, illogical.

Frankly, we must say that Dr. Ruemelin has not satisfactorily met this desire.

As much as this is by implication confessed when with Dr. Ruemelin's paper are combined Dr. Holls' introduction and elaborate notes, all of which have obviously been added because without them to address itself would be both incomplete and weak. Much the best material in the volume is found in the long quotations from John Stuart Mill's Essay on "Treaty Obligations." Here we feel the grip of a master mind, and know that we are being brought face to face with discriminations that go deep down into the principles of human nature and the practical conditions of existence.

In fact, it is in two famous rules laid down by Mill, that we find the most valuable suggestions ever made toward the reconciliation of public policy with the requirements of abstract morality. "Nations," he said, "should abstain from imposing conditions which, upon any just and reasonable view of human affairs, cannot be expected to be kept, and they should conclude their treaties as commercial treaties are usually concluded, only for terms of years." From these two rules a fairly complete and, we think, a sound philosophy of political morality could be developed. Morality is a quality of unconstrained conduct. It cannot be predicated of acts which are performed under duress or necessity. It is, therefore, a mere jugglery with words to talk about the morality or the immorality of wars which, in view of the struggle for existence and the imperfections of human nature, are practically inevitable. Only those acts which needlessly and wantonly provoke war can be condemned. In like manner, since growth and development from generation to generation are normal processes, it is inevitable that inconsiderate promises binding future generations shall from time to time be broken. They should never have been made; but if they have been made under compulsion, the nation that has exercised the compulsion is in no sense a mentor of righteousness, but only an ordinary fool, if it expects the promises to be fulfilled. All such promises fall within one general class of non-moral cases, namely, those in which a wrong act is so bound up with a right act that in order to do right it is necessary at the same time to do wrong. To break promises is *ipso facto* wrong, but to arrest development or curtail the liberty of others is also *ipso facto* wrong. Logically, all such cases drop out of the category of voluntary acts, and, therefore, of morality, and take their place in the category of necessity.

We could wish that Dr. Holls had included in his full and illuminating notes citations from Proal's "*La Criminalité Politique*," a translation of which appeared in this country in 1898—a thoughtful work, defending the authority of abstract moral principle.

THE CLERK'S AND CONVEYANCER'S ASSISTANT: A COLLECTION OF FORMS OF CONVEYANCING, CONTRACTS AND LEGAL PROCEEDINGS. By Benj. V. Abbott and Austin Abbott. Second Edition. Revised